

REMARKS

Status of the Claims

Claims 1-5 and 7-14 are currently under consideration. Claim 1 has been amended in regard to component (d) to overcome the Examiner's rejection and claims 1 and 3 have been amended to correct spelling errors.

Claim Objections

Claim 1 was objected to for the following informalities: The phrase "linear, branched and star structures and mixtures thereof" is only applicable to polymethacrylic and polyacrylic binders. Applicants call the Examiner's attention to page 4, lines 14 and 15 wherein polyester and polyurethane structures also can be "linear, branched star structures". Claim 1 has been amended to show that polymethacrylic, polyacrylic, polyester and polyurethane are such structures. Also, the spelling of "hybrid" has been corrected.

Claim 1 was also amended in regard to component (d) and now recites that the component is present in the amount of 2-30 wt% and comprises polymethyl methacrylate containing filler. Support for this amendment is in the specification page 6, lines 14-16.

In the previous office action, dated December 23, 2004, original claim 6 was held allowable and now has been incorporated in its entirety into currently amended claim 1.

Applicants believe that with the amendment to claim 1, claim 7 (previously presented) is acceptable and further limits the subject matter of claim 1 since claim 7 simply further defines component (d) as consisting of about 40 wt. % of polymethyl methacrylate and about 60 wt. % of aluminum hydroxide.

Rejection of Claims under 35 USC 103(a)

Claims 1-5 and 8-14 were rejected as being unpatentable over Mayer et al U.S. 6,649,688 B1 in view of Dworak et al. U. S. 6,423,771 B1.

However, in the rejection of December 23, 2004, the Examiner stated the following: "The difference between the prior art and the present invention is that the present invention includes ground polymeric filler in amounts ranging from 1 to 40% by weight and 5-70% filler material." That phrase describes components (c) and (d) of Claim 1. Also, Claims 6 and 7 were indicated as allowable. Claim 6 has been incorporated into Claim 1 and further defines component (d) of Claim 1. Claim 6 was previously canceled. Component (d) of amended Claim 1 is not disclosed or suggested by either Mayer or Dworak.

The amendment of Claim 1 obviates the above obviousness rejection and places the claims in allowable form. Claim 7, as previously amended, is dependent on Claim 1 and further defines component (d). All of the claims should now be allowable.

SUMMARY

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. In order to expedite disposition of this case, the Examiner is invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. In the event there are any fees due, please charge such fees to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,



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